

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 28, 2001**

## DIVISION ONE

B139739      National Union Fire Insurance, etc.  
v.  
Gladych & Associates, Inc., et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

B144993      People v. Loud  
                       (Not for Publication)

---

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

B144635      Fokuo, a Minor etc.      (Not for Publication)  
v.  
Crawford

The judgment is affirmed.

Mallano, J.

We concur: Spencer, P.J.  
Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B148957      Los Angeles County Department      (Not for Publication)  
                 of Children and Family Services  
                 v.  
                 Kenneth C.

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Vogel (Miriam A.), J.

B147577      People      (Not for Publication)  
                 v.  
                 McCoy

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur:    Ortega, Acting P.J.  
                 Mallano, J.

B143861      Kajiwara      (Not for Publication)  
                 v.  
                 Neutrogena Corporation

The judgment is affirmed.

Mallano, J.

We concur:    Spencer, P.J.  
                 Vogel (Miriam A.), J.

September 28, 2001-Continued

## DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.  
Mallano, J.

DIVISION THREE

B145000 Patricia C. Bohannon  
v.  
National Basketball Players Association et al.

B145078 Patricia C. Bohannon  
v.  
National Basketball Players Association et al.

Filed order consolidating above captioned appeals.

B139742      People                                  (Not for Publication)  
v.  
Jesse A. Alejo

The judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

### DIVISION THREE (Continued)

B143889      People                                  (Not for Publication)  
v.  
Julio Ceasar Falcon

The judgment is modified to strike the three-year enhancement imposed pursuant to Penal Code section 186.22, subdivision (b)(1), and to reflect a minimum parole eligibility period of 15 years (§§ 190, subd. (e), 186.22, subd. (b)(4)), followed by a period of 25 years, with the 25-years-to-life term subject to a maximum credit reduction of 15 percent (§ 12022.53, subds. (d)(i)). The clerk of the superior court is ordered to prepare an amended abstract of judgment consistent with the opinions expressed herein and to forward a corrected copy to the Department of Corrections. In all other respects, the judgment is affirmed.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                    Kitching, J.

B135121      Ross C. Gunnell et al.      (Certified for Partial Publication)  
v.  
Metrocolor Laboratories, Inc., et al.

The judgment is affirmed. Gunnell's motion for sanctions on appeal is denied. Costs on appeal are awarded to defendants Metrocolor Laboratories, Inc. and Time Warner Entertainment Company.

Kitching, J.

We concur:   Croskey, Acting P.J.  
                  Aldrich, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Curry, J.

B148755 People (Not for Publication)  
v.  
Horton

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.  
Curry, J.

B146168      People                      (Not for Publication)  
v.  
Cardenas

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.  
Curry, J.

DIVISION FOUR (Continued)

B153018      Stroud      (Not for Publication)

v.

Superior Court, Los Angeles County

(People, r.p.i.)

Let a peremptory writ of mandate issue directing respondent to vacate its order of September 13, 2001, and to issue a new and different order denying the People's motion to admit evidence of the 1989 incident in the People's case in chief. This court's September 20, 2001 temporary stay order is vacated.

Epstein, Acting P.J.

I concur:      Curry, J.

DIVISION SEVEN

B138149      Michael Viner et al.      (Certified for Partial Publication)

v.

Charles A. Sweet et al.

The judgment is modified to reduce the total amount thereof by \$5,205,800 (\$4.29 million non-solicitation damages attributable to Frederick Forsythe project and \$915,800 noncompetition damages attributable to Jack Higgins project). The judgment in the resulting amount of \$8,085,732 is affirmed. The parties shall bear their own costs on appeal.

Johnson, J.

We concur:    Lillie, P.J.  
                     Woods, J.